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INTELLECTUAL PROPERTY LAW  
(PATENT, BIOTECHNOLOGY, COMPUTER,  
TRADEMARK & TRADE SECRET LAW)

**FACSIMILE COVER SHEET**

PLEASE DELIVER TO: Examiner Wessendorf

COMPANY: United States PTO

FACSIMILE NUMBER: (703) 872-9306

NUMBER OF PAGES (COUNTING COVER SHEET): 3

FROM: Benjamin A. Adler

MESSAGE: Please deliver the attached to Examiner Wessendorf.  
Examiner Wessendorf, attached are a Notice of Appeal and a  
Petition for Extension of Time for USSN 09/992,516 (D6431).  
Thank you.

CONFIDENTIALITY NOTICE: Unless otherwise indicated or obvious from the nature of this transmittal, the information contained in this facsimile is attorney privileged and confidential information intended for the use of the individual or entity named above. If the reader is not the intended recipient or an employee or agent responsible for delivery, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you receive this communication in error, please immediately notify Dr. Benjamin A. Adler at (713) 270-5391 and promptly return the facsimile. Thank you.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Shafer

FILED: November 14, 2001

SERIAL NO.: 09/992,516

FOR: Expression Miniarrays And  
Uses Thereof

§ ART UNIT: 1639

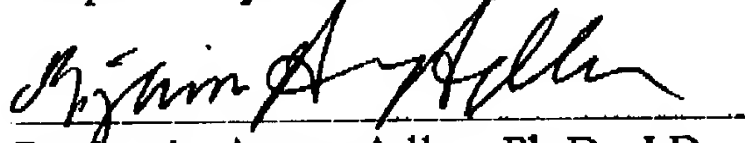
§  
§ EXAMINER:  
§ Wessendorf, T.§  
§ DOCKET:  
§ D6431  
§Mail Stop AF  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences the decision dated November 6, 2003 from the Primary Examiner, rejecting claims 7 and 9-22.

The Commissioner is hereby authorized to charge Deposit Account No. 07-1185 in the total amount of \$165 for the appeal fee and any additional fee that may be required. Please credit any overpayment or debit any underpayment to Deposit Account 07-1185.

Respectfully submitted,

Date: May 6, 2004ADLER & ASSOCIATES  
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